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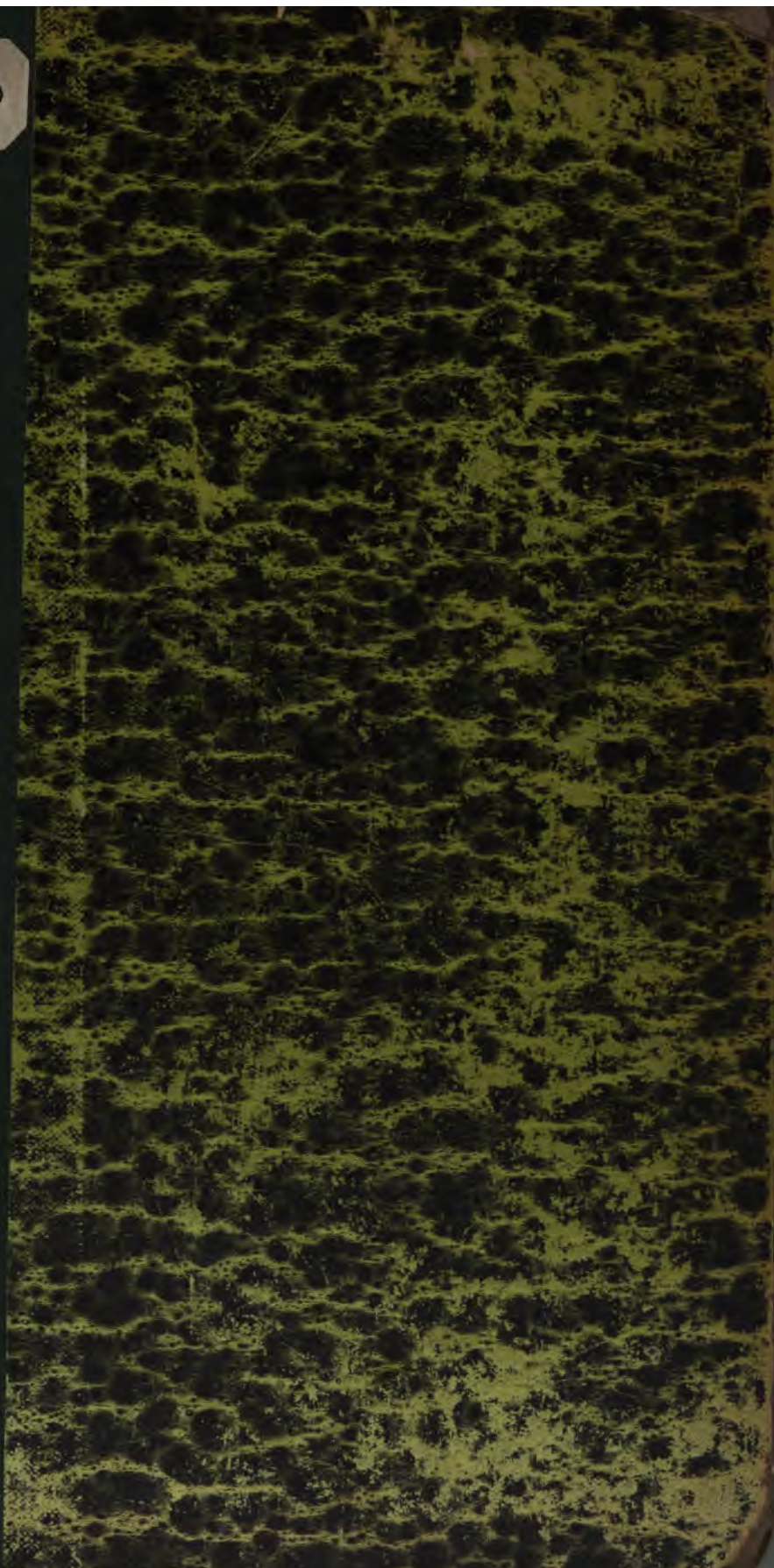
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THE LIMITS OF CIVIL OBEDIENCE.

A

S E R M O N

PREACHED IN THE

FIRST CHURCH, DORCHESTER,

JANUARY 12, 1851.

BY NATHANIEL HALL.

Published by Request.

BOSTON:
WM. CROSBY AND H. P. NICHOLS,
111, WASHINGTON STREET.
MDCCLLI.



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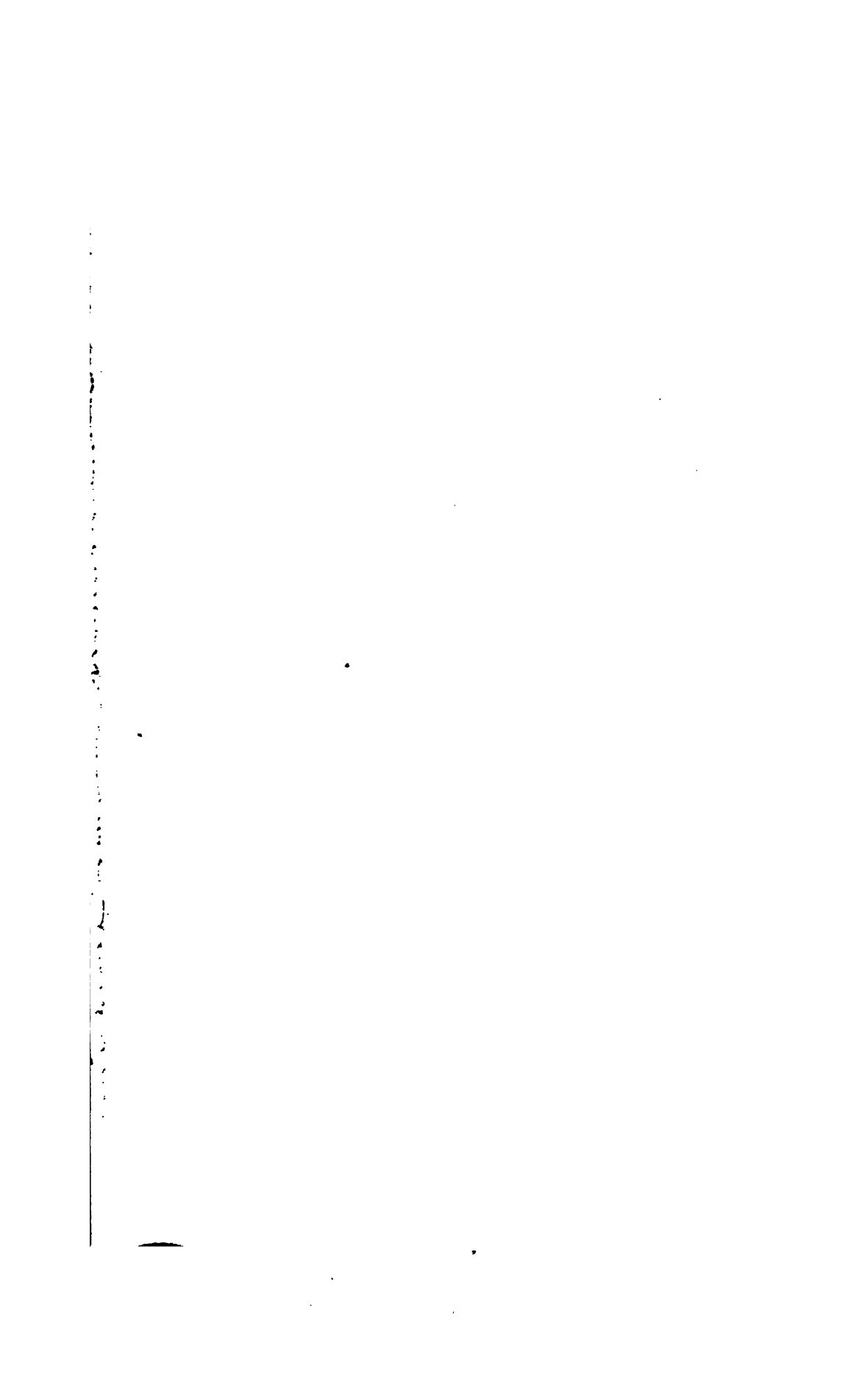
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It becomes me to state, what those who heard it will perceive, that this Sermon has been somewhat altered from what it was as preached,—not at all in respect to any principle or position, but by the enlargement upon some points, which the time allotted to a Sunday's Discourse forbade in its delivery. Let me further say, that I have yielded with no little reluctance to the request for its publication,—a reluctance which has been overcome, in part, by the known fact that its views have been greatly misrepresented, unintentionally or otherwise ; and also in the hope, perhaps a presumptuous one, that it may do something in helping to guide some few minds with regard to the subject it discusses. The temerity, as it may seem to some, of publishing views opposed to those of so many who have the respect and confidence of the community, I do not feel. Truth is independent of persons. It is not received of men, though they may help us to obtain it. Whatever there may be of it in these humble pages, is not mine, but God's.



S E R M O N .

ROMANS, XIII. 1, 2.

“LET EVERY SOUL BE SUBJECT UNTO THE HIGHER POWERS. FOR THERE IS NO POWER BUT OF GOD; THE POWERS THAT BE ARE ORDAINED OF GOD. WHOSOEVER, THEREFORE, RESISTETH THE POWER, RESISTETH THE ORDINANCE OF GOD.”

CIVIL government exists by Divine appointment, and is therefore to be respected and obeyed. Such is the abstract proposition which this passage includes and presents. It is a proposition which reason and common sense confirm and indorse. Natural religion, in this particular, has no controversy with revealed. In order to perceive how plainly this is so, let us fix, for a moment, on another proposition, lying back of this, — namely, civil society is of Divine appointment. The propositions are not identical, inasmuch as society must, at some time, have existed without government. Civil society is of Divine appointment — is an institution of God. And this is evident, in the fact of those original instincts in man, leading him directly, we may say impelling him,

to such result ; in the fact, also, that society is essential to the development and well-being of the individual and the race. Man isolated from his fellows, living by and to himself, with that only which his individual strength and talent might supply, if he continued to exist at all, would do so at a most wretched rate. All the progress of the race, all its advances in whatever makes life most desirable, for its higher as well as its inferior ends, has been conditioned upon the existence of society. Society, then, is of Divine appointment. It is written, in these facts, as by the finger of God. And if this be so, then Government is of Divine appointment, inasmuch as society cannot fulfill its ends, cannot exist to any good purpose, without it. The very idea of civil society supposes the surrender, in certain directions, and to a certain extent, of individual rights, and the suppression of individual impulses and desires, in submission to a general, constituted authority, and for the sake of benefits not otherwise to be secured. And if civil government be of Divine appointment, it follows, that obedience to its authority and laws is a sacred obligation. The conclusion is so very obvious, that I cannot conceive of its being gainsayed. I do not know that it is, as a general proposition. There is no difficulty, I apprehend, as to the abstract rule. The difficulty is in relation to specific cases which come under it ; for the rule, general and universal

as is its principle, has its limitations and exceptions. No one would say, that obedience to civil government was a sacred obligation in *all cases*—*whatever* it might command. Were it to command, for instance, that parents should cruelly maim or torture their children, or teach them any gross immorality, or that people generally should practise theft, or utter profanity, or the like,—who would say that it was a sacred obligation to obey it, as regards these things? Where, then, if limit there be, does that limit lie? By what principle is it defined? We want a *principle*,—something which shall keep us from being driven hither and thither, now towards this conclusion and now towards that, as others may urge us by their reasoning, or their rhetoric, or their sophistries. We want a principle, which we can see to be a true one, and by which each may judge, in the premises, for himself. There are times when we are liable to be blinded to the clearest principles, which, at other times, and in other circumstances, we see as such; when, by reason of the mental confusedness caused by self-interest, or prejudice, or passion, or a view to consequences, the strongest intellects fail to perceive, what, to the ingenuous mind of childhood, knowing nothing of these distorting media, is plainly evident. We all need to be on our guard against influences existing on either side of the question now before us—no longer a mere ethical abstraction—

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to violate the immortal sentiments of justice and mercy which God's own spirit breathed within me when he gave me being. It has no right to do this; and I have no right, as a moral and accountable being, to obey it, if it should. I have no *right*. It is not left to my choice. The line of duty is proclaimed to me by the voice of the Infinite within my soul. The question of consequences, *then*, is an impertinence. As I have a soul to save and an account to give, I must, at all hazards, obey God.

Here, then, is the principle by which to limit the general proposition, that obedience to civil government is a sacred obligation. It is such so far as its requirements are not in conflict with the law of God.

It is no new principle, now, for the first time, recognized and applied. It is not strained after for an emergency, ingeniously evoked from the mists of sophistry, or elaborately wrought of metaphysical subtleties. It is simple as Nature. It is clearly to be discerned as the lights of heaven. It is one of the fundamental truths of religion, and the strangeness is, that, at this late day, there should be a necessity for restating it. It is no new principle; it has been asserted again and again. Calvin, in his *Institutes of Religion*, says — "In the obedience which we have shown to be due to the authority of governors, it is always necessary to make one exception, and that

is entitled to our first attention—that it do not seduce us from obedience to Him, to whose will the desires of all rulers ought to be subject, to whose decrees all their commands ought to yield, to whose majesty all their sceptres ought to submit. If they command any thing against Him, it ought not to have the least attention; nor, in this case, ought we to pay any regard to all the dignity attached to magistrates.”

Milton says: “Whatever magistrate takes upon him to act contrary to what St. Paul makes the duty of those that are in authority—i. e. to what is morally lawful and good—that magistrate is not ordained of God, and, consequently, to such a magistracy no subjection is commanded, nor is any due, nor are the people forbidden to resist such authority.”

Professor Stuart (I quote his words simply to show that it is not a new principle), in commenting on the very passage of the text, has these words—let *him* reconcile them with what he has since written—“The extension of the principles here enjoined, so as to make them imply implicit subjection to the magistrate in cases of a *moral* nature, where he enjoins what God has plainly forbidden, would be a gross violation of the true principles of Christianity, which demands of us, in all such cases, to obey God rather than man; the apostle himself was a most eminent example of exception to

such a sweeping general principle of civil obedience. It is only when magistrates keep within the bounds of *moral* prescription, that obedience is a duty."

Blackstone, who will not be suspected of theological bias, or weak sentimentalism, has said, in his Commentaries on English Law — "The law of nature, being coeval with mankind, and dictated by God himself, is, of course, superior in obligation to any other. It is binding over all the globe, in all countries, and all times. No human laws are of any validity if contrary to this, and such of them as are valid, derive all their force and all their authority, mediately or immediately, from this original." He instances, also, offences, "which, if any human law should enjoin us to commit, we are bound to transgress that human law, else we offend both the natural and the divine."

The principle has not only been recognized, but, in all ages, has been practically maintained. Men have gone to prison and to death in their acceptance of it. Some of the noblest deeds that history records were done in view of it. It was tested, of old, in the fiery furnace, and the lions' den. Rather than disobey God at the instance of human law, rather than sacrifice their convictions to their loyalty, men have endured every suffering and wrong, committing themselves and their cause to God. It is a principle which is calling for its martyrs now, and shall not be without them.

And yet how many, in our day and community, wise and good people too, accept it not, at least in a certain application of it. It is looked upon with suspicion and fear. It is denounced as impracticable and dangerous. The doctrine of a "higher law" than that of the Constitution, in civil matters, obtains but little currency among us. Nay, it has been ridiculed in our popular assemblies; it has been reviled by our leading statesmen; it has been preached against from our pulpits. In churches standing on pilgrim ground, it has been said that we are to have no conscience in these matters, or such only as comports with obedience to the State,—no individual and private conscience, but only a sort of collective and public one,—that the laws of the land are, at all events, to be obeyed; that the Union is every thing; and that the sacred sentiments of justice and humanity are to be violated for the sake of its preservation.

I confess, brethren, I stand aghast at such views—in perfect amazement that they find the adoption which they do. I respect, in many cases, the individuals who promulgate them, but I can have no respect for the views. They are to me unchristian and atheistic. A few years ago, the religious portion of our community was alive with alarm at the promulgation of what it deemed most harmful heresy, with regard to the external authority of the Bible. But here, it seems to me, is a heresy to be dreaded

with a tenfold greater dread,—a heresy which strikes, as I view it, not at the external authority, but at the very *life* of the Bible,—the supreme authority of its eternal principles. I call in question no one's motives. I pass no judgment upon men, but only upon views and doctrines; and upon these I am bound to pass judgment, taking God's Word in my hand, and interpreting it by whatever light He may vouchsafe to me; and if I deem them false and evil, I have no option but to declare it.

I know very well that it is easier to state a principle than to apply it; and that, to many minds, there are objections to the application of this now set forth, which seem to them weighty and insuperable. It may be replied, that if the principle be a true one, it must, therefore, be a practicable one; and that we have no right to suffer the apprehension of evil, as the possible result of its application, or the certainty of it, to lead us to question its rightness, or to flinch from its application. It is a principle which rests not on the calculations of expediency, but in the fact of God's moral attributes, and our relation to him as moral beings. We have not proved its rightness by showing it to be profitable, though we might assume its profitableness in showing it to be right. Right is always practicable, and it is always profitable,—certainly in the highest sense, and in the great result. But let us look at some of the more prominent

objections which lie against the application of this principle, and the apprehended evils they assume, as we hear them continually set forth.

The principle is, that we are bound to obey the requisitions of human law, except where they conflict with the law of God, as made known in our souls and in his Word; that we are bound by an authority higher than its own, to do, in all cases and always, what is therein proclaimed to us as right. "But," it is said, "if you allow each individual to judge for himself what is right, and obey or disobey according to his judgment, you open the door, at once, to the worst of social evils and disorders; one man may deem *this* law iniquitous, another *that*, until, in the diversities of moral judgments, there may be *no* law which shall command a universal obedience, and society be reduced to a state of confusion and anarchy." The answer is,—that this is supposing a result which we do not know will occur,—which is not likely to occur. The human conscience is not so uncertain a guide as it is thus assumed to be; the law of Right is not so indistinctly apprehended. There may be weak consciences, there may be perverted consciences, as we know there are; but these, in every community, will be the exceptions. With the great majority of men, conscience, if not allowed to be blinded and turned aside by sordid and unworthy aims, will pronounce on the great points of

moral obligation very much the same decision. “But, then, the liberty given would be abused ; men would plead conscientious convictions, as an excuse for disobedience to an offensive law, when there was no conscience about it, but only an imagined self-interest, or a stubborn self-will.” Allow that, to some extent, it might be so, — is not every principle, and every prescribed rule of action, however sound and true, liable to be abused ? Is not evil incident to the practical workings of civil government, always and every where ? And what do we, when we say that the individual is not to judge for himself, what is morally right and obligatory in the requirements of the State ? Is it not to dishonor and disown the very principle which lies at the foundation of our Protestantism ? Does the right of private judgment have reference only to matters of belief, and not to those of conduct ? Yea, and it is a right which we may not surrender. It involves a priceless privilege not only, but a solemn duty. God has bound it upon us in the trust of a moral nature. If, as moral beings, we are individually accountable ; if, at the great day, each must answer for himself as to his fidelity to the law of Right ; by each for himself must be the decision as to what that law requires of him. In giving to each the capacity of moral judgment, God requires of each its exercise, in relation to civil as to all other matters ; and each, — let this be felt, — each is

responsible for the *manner* of its exercise. Not rashly or lightly or irreverently, not in prejudice or passion or excitement, not in a self-sufficient inconsiderateness of others' views and arguments; but deliberately, soberly, humbly, seeking all helps around us and above, in the love of truth and in the fear of God, are we severally to form our judgment as to what is right and obligatory. And thus judging and thus acting, I cannot conceive that any great harm would come to society in the application of our principle.

“But,” again it is said, “your principle strikes at the authority of all government; and government, as you allow, there must be. You counsel resistance, and resistance is rebellion.” The reply is, that the resistance counselled is not the forcible resistance which is rebellion, but that which consists in disobedience, with a passive submission to whatever penalty may be thereto attached. The authority is acknowledged which enacts the law, and enforces the penalty. We would resist that authority, not in its legitimate exercise; not in its unlawful exercise, unless it go to the length of commanding us to do iniquity; and not *then* as an authority to punish for our disobedience to its command. The moral *right* to do it we deny, in relation to God; but not the *authority*, in relation to man. I will submit to government so far as to *endure* wrong, but never to *do* it. This is the course

which the early Christians adopted. They suffered wrongfully — they took the spoiling of their goods — they went to prison and to death, — and resisted not the enforcing power. It might sway itself over the body, but it could not bend the soul from its allegiance to its God.

“But,” again it will be urged, “what if a law, which, in the application of your principle, you would feel justified in disobeying, be based upon, and in strict accordance with, a compact, entered into at the formation of the government, and to which each individual, as a member of the State, has become a party, and is bound to recognize and support. Upon your own principle,” it will be said, “the law should be obeyed. You would have us adhere to the Right, and surely it is right to do that which we have promised to do.” Not, I answer, not if we have promised to do that which is *wrong*, — according to that acknowledged principle in human law, that “if the condition of a bond be, to do a thing which is intrinsically wrong, the obligation is void.” Allow that, as an individual subject of the State and a partaker of its benefits, I am a sharer of whatever obligations have been entered into in the past in its behalf, and which still constitutionally exist; — allow, again, the question to be a settled one, that the law in view is legitimately and rightly based upon that compact, and in strict accordance with it,

as it was understood and intended by those who, originally, for civil ends, assented to it; — allow this, there still comes up the simple question, but the fundamental and majestic one, Is it *right*, morally and intrinsically right?

“Personal security, personal liberty, and private property,” says Blackstone, “are the three great primary and inherent rights. No human legislature has power to abridge or destroy them, unless the owner shall himself commit some act that amounts to a forfeiture.” Let the compact in question be judged by these received principles of common law, — a compact whose end and aim is the better securing of millions of human beings, uncharged of crime, in a condition in which they are deprived of all these great, primary, and inherent rights, — and this, as the beginning only of its dire oppression. We are not to be driven from pressing the question for its true reply, because of the bearing of that reply upon those illustrious men who formed the Constitution. Honor and praise to them for all they did for freedom and human rights! It is not for us to reconcile their agreement to such a compromise with their noble acts and sacrifices, their acknowledged wisdom and moral worth. We are to look, simply and only, as accountable and Christian men, to the moral aspect of this provision, as it appears to us, and as it stands connected with the law which we are now com-

manded to obey. For myself, I cannot acknowledge the binding obligation of any compact, made for me in the past, or of any law, enacted on whatever pretence or by whatever earthly power, by which I am compelled to do to a fellow-being, whom God is telling me to love and help, the very worst thing I *can* do to him,—send him to a fate, worse—as he feels it, and as it is—than death.

“But,” it is still further urged, “what if, by the application of your principle, you bring about the dissolution of the national Union, you sunder in twain this fair brotherhood of States, and thus draw down upon us the worst of social woes, and prejudice and put back the cause of freedom, and all the best interests of humanity, throughout the world.” The picture is, indeed, an appalling one, on which we have been called so often, of late, to look, of the probable and almost certain consequences of a dissolution of the Union. Who does not love that Union, for the glorious achievements in which it had its origin; for the priceless privileges of which it is the medium; for the thrilling hopes it has everywhere enkindled? But if it can be preserved only by a deliberate compromise with oppression and wrong, by a smothering and denial of the sacred sentiments of humanity, then, the time has come, in the purposes of God, so declared in this very fact, for its dissolution. Where has God told us,

that for the securing of any good whatever, we might violate any one of his commandments?' Let Him break the awful silence of His heavens and audibly proclaim it, or marshal their silvery flames into a legible decree, that, so far as may be deemed necessary for the maintenance of the American Union, there is an abrogation of His law; that, for this end, His voice within may be slighted, and His blessed Christ forsaken; that, for this end, the soul may scoff at the immortal majesty of Justice, and the celestial sweetness of Compassion;—let Him do this, and then, and not sooner, may we entertain the thought of being authorized in such a course.

And let us not imagine that the evils consequent upon our action, as a people, in relation to this law, are all on the side of disobedience to it. Let views like those which have come forth from the high places of the land, and been echoed back from many a pulpit of the Church, be practically adopted, become a part of the public morality; let the pleading sentiments of humanity be put down, and the Law of God dethroned from its supremacy, in obedience to this most inhuman and unrighteous law—and is there no evil worthy to be deprecated in that demoralization, public and private, which cannot but ensue? Looking at it merely in its civil bearings, is there nothing to fear from it? What constitutes the stability of a State, and gives security beneath its laws,

but a reverence for moral principles,—for the great Fountain of Law,—in the hearts of the people? Who are the real disorganizers? they who teach the absolute morality, or they who advocate the morality of expediency? they who announce and heed a Higher Law, or they who scout the idea of it? What is it that really endangers the permanency of our Republic? What but that monster Wrong,—fostered beneath its shade, coeval with its birth and strengthening with its strength, which is denying to three millions of human beings the sacred rights of humanity? What but that terrible Iniquity, whose retribution is already upon us, in a blunted national conscience, a lessening love of freedom, a depressed humanity, a fettered gospel; and which, if much longer upheld and fostered, must bring down upon us, as God is just, his more fearful judgments? And yet, we are told that our safety lies in conciliating and strengthening it, by committing ourselves more fully to its support, and sharing more directly in its deeds. Do we realize what a blighting censure is passed upon our nation and ourselves, when it is thus assumed that our civil safety is dependent upon our holding, with tightened grasp, the chains of the enslaved, and in aiding with our own hands to rebind them upon those who, in the might of an intrepid manhood, have sundered them and fled? Humiliating, indeed, is the fact, if fact it be, that

only by lending ourselves to this basest work to which a human being can be put, is our "glorious" Union to be preserved. Humiliating and most strange the fact, that the permanency of a free Republic should be secured only by suppressing the love of Freedom, and the dictates of Humanity, and the sentiment of Justice, in the breasts of its subjects. And are we men, and yet willing to admit that any good, supposed to be dependent upon the permanency of our Republic, is an equivalent for the price thus demanded for it? Ah! what will all our prosperity be worth, if, underneath its dazzling glare, the work of moral deterioration and decline,—by that very prosperity fed and fostered,—shall be going forward? What is the Union worth, if, instead of being the home of holy Freedom, and the nursery of noble souls, it is to exist but by being false to Freedom and the soul? What is it worth, if the mere honest advocacy of human rights and a higher law,—if the mere breathings within it of God's own Truth,—if the mere echoes, beneath its majestic dome, of the tramp of sacred Justice, be sufficient, as we are told they are, to topple down the pillars of its strength?

At any rate, I see but one course for us, as Christian men, in relation to this subject, which I have thus again brought before you. The path of duty and of safety—they are ever identical—is in an

uncompromising fidelity to whatever God shall show us, through the sentiments of our hearts and the teachings of Christianity, to be right. Let no human authority ever restrain us from this path. Let no leanings of sordid desire tempt us from it. Let no view of consequences allure or affright us from it. And let nothing—no fear of men, no alienation of friends, no edict from whatever source—prevent us from advocating the cause of the oppressed,—from obeying the dictates of humanity in their behalf, whenever Providence shall grant us the opportunity.











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